

IN THE HIGH COURT OF JUDICATURE: AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WRIT PETITION No.25385 of 2015

BETWEEN:

Varaprasad Poultry

.. **Petitioner**

AND

The Eastern Power Distribution Company of A.P. Ltd.,
rep.by its Managing Director.
and another.

.. **Respondents**

DATE OF JUDGMENT PRONOUNCED: 12.08.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

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| 1. Whether reports of Local newspapers
may be allowed to see the judgments? | YES/NO |
| 2. Whether the copies of judgments may be
marked to Law Reporters/Journals. | YES/NO |
| 3. Whether their Ladyship/Lordship wish to
see the fair copy of the Judgment ? | YES/NO |

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.25385 of 2015

ORDER:

The petitioner is running a poultry farm situated at Kattavapodalagudem village in Jangareddygudem Mandal.

The petitioner is having one non-domestic and commercial category connection. When the electric meter was burnt on 05.08.2015, the petitioner requested the second respondent to install a new meter.

While so, the petitioner received a letter dated 01.08.2015 issued by the

second respondent alleging that there was theft of electrical energy which was noticed on inspection on 30.07.2015. The petitioner was asked to pay the provisionally assessed amount of Rs.3,64,270/- pending determination of the civil liability, apart from compounding fee for a sum of Rs.42,000/-.

The petitioner paid the said compounding fee but did not pay the amount towards provisionally assessed amount.

Since the present case relates to theft of electricity energy, liberty is given to the petitioner to pay 50% of Rs.3,64,270/- and the respondents are directed to refer the matter to the special Court constituted under Section 154 (5) of the Electricity Act, 2003 as and when the petitioner deposits the said amount.

It is needless to say that on deposit of the said amount, the petitioner's electricity service connection should be restored and the respondents shall not demand the balance amount till determination of the civil liability by the Special Court.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

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A. RAMALINGESWARA RAO, J

Date: 12.08.2015

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